

While Applicants consider the claims as presented are acceptable in all respects including formalities matters, the claims also have been amended to provide further antecedent basis.

In view thereof, reconsideration and withdrawal of the rejection are requested.

Claims 54, 56 and 58 were rejected under the doctrine of obviousness-type double-patenting over claim 8 of U.S. Patent 6,241,743.

Claims 54 and 58 were rejected under the doctrine of obviousness-type double-patenting over claims 11 or 24 of U.S. Patent 6,241,743.

Claims 54 and 58 were rejected under the doctrine of obviousness-type double-patenting over claim 6 of U.S. Patent 6,316,165.

To expedite prosecution, Applicants submit herewith appropriate Terminal Disclaimers to obviate the rejections. It is thus believed the rejections are properly withdrawn.

Claims 43, 44 and 45 were provisionally rejected under 35 U.S.C. 101 for double patenting in view of claim 15 of copending application no. 09/918,399.

Claims 43 and 45 were provisionally rejected under 35 U.S.C. 101 for double patenting in view of claim 44 of copending application no. 09/918,399.

For the sake of brevity, the two provisional rejections are addressed in combination. The rejections are traversed.

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Claims 43, 44 and 45 of the present application are not co-extensive with the cited claims of copending application 09/918,399 (US 2002/0031729).

The cited copending application claims call for "a basic material and a crosslinker".

The rejected claims of the present application do not recite "a basic material". Accordingly, the rejections are not proper. See Section 804 of the Manual of Patent Examining Procedure ("Is there an embodiment of the invention that falls within the scope of one claim, but not the other? If there is such an embodiment, then identical subject matter is not defined by both claims and statutory double patenting would not exist.").

Further, Section 804 of the MPEP states that a "provisional" double patenting rejection should be withdrawn if it is the only remaining rejection in an application. Specifically, the following is stated in Section 804 of the MPEP:

If the "provisional" double patenting in one application is the only rejection remaining in that application, the examiner should then withdraw that rejection and permit the application to issue as a patent, thereby converting the "provisional" double patenting in the other application(s) into a double patenting rejection at the time the one application issues as a patent.

In view thereof, withdrawal of the rejections is requested.

It is believed the application in condition for immediate allowance, which action is earnestly solicited.

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Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Peter F. Corless', written over the typed name.

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MARKED VERSION TO SHOW CHANGES

56. (amended) The method of claim 54 wherein the antihalation [antireflective] composition comprises a thermal acid generator.

61. (amended) The method of claim 60 [58] wherein the plasma gas penetrates the antihalation composition coating layer.

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